

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

PETER ANTONIO TAYLOR,

Petitioner,

No. CIV S-04-0981 LKK KJM P

vs.

T.L. CAREY,

Respondent.

ORDER

On July 12, 2005, petitioner submitted an opposition to respondent's motion to dismiss. That document was not served on respondent. Petitioner is advised that every document submitted to the court for consideration must be served on respondent. Fed. R. Civ. P. 5; Rule 11, Fed. R. Governing § 2254 Cases. Documents not to be served electronically are usually served by placing a copy in the U.S. Mail. If an attorney has filed a document with the court on behalf of respondent, then documents submitted by petitioner must be served on that attorney and not on the respondent himself. Every document submitted conventionally to the court (e.g., on paper by a prisoner proceeding pro se) must include a certificate stating the date an accurate copy of the document was mailed to respondent or his attorney and the address to which it was mailed. See Local Rule 5-135(b) and (c).

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1           Accordingly, IT IS HEREBY ORDERED that within fifteen days from the date of  
2 this order petitioner shall serve a copy of his opposition to respondent's motion to dismiss upon  
3 respondent and file proper proof of said service. Petitioner is cautioned that failure to comply  
4 with this order may result in imposition of sanctions.

5 DATED: July 26, 2005.

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9 UNITED STATES MAGISTRATE JUDGE  
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